Barnard. 1703.

AN APPEAL

To the Men of *New England*, with a short Account of Mr. *Randolph's* PAPERS.

IT is the Unhappiness of this present Juncture, that too many Men relinquish their Stations of *Privacy* and *Subjection*, and take upon them too freely to descant upon affairs of the *Publick*; and those generally *such* as have manifestly no *Love* for, nor *Interest* in the welfare of this Country, who yet assume a strange liberty to themselves of justifying the Conduct of the late Usurping Government, and censuring the Justice and Order of the late Revolution; and by clandestine Libells, and open Coffee-house talks, endeavour to sow *Factions* and *Divisions* among us. It has been therefore thought fit (in order to the unity of the People, and healing the present discomposures) to propose the insuing *Queries* and *Cases*, upon which 'tis desired every man would exercise his faculty of judging, that hereby he may know how to encounter the *Sophistries* and stop the mouthes of those pestilent *Gain-sayers*.

1. *Of the Injury done to our Charter.*

Whether the Charters of *New England* were not invaded and vacated in pursuance of the very same ends that caused the General Attempt lately made upon the Charters throughout all the *English Dominions*?

Whether the Destruction of the *English Charters* were not one of the most considerable Branches of the late *Popish Plot*, for the subversion and utter extinction of the Protestant Religion?

Whether it be reasonable to suppose that our late Superiours at *Whitehall* did receive or could propose any advantage by the overthrow of our Charter-Government, but only to bring us within the reach of *Popish Counsels*, [illegible] it should be time for them to work upon us? Whether

Whether (ſuppoſing our *Charters* forfeitable) we had forfeited them by breaking any one Article or Condition in them?

Whether therefore the late Conſpirators in the Court at *White-Hall* did not rob us in the *Maſſachuſets Colony* of our Charter, by firſt letting fall their *Quo Warranto*, when we had ſent Agents to ſtand a Trial at Law; and then by iſſuing out a Writ of *Scire facias* againſt us, requiring us to appear ſuddenly after at *Weſtminſter* and ſo entring Judgment againſt us for our non-appearance, whilſt in the mean time it was perfectly impoſſible we ſhould have any timely notice of it?

VVhether it be not a great Article in the Declaration publiſht by his Highneſs the Prince of *Orange*, concerning the Reaſons of his Diſcent into *England*, *That all Magiſtrates who have been unjuſtly turned out, ſhall forthwith Reaſſume their former Imployments, and the Engliſh Corporations return to their ancient Preſcriptions & Charters*?

VVhether *Connecticut* died not as a *Fool Dieth*, and were not baubled out of their Charter, and whether they are not more knaves than fools, who would go about to make them *twice dead*, when not only their *Charter* was actually reſtored by the Proclamation of King *James*, but alſo his preſent Majeſty has declared (as we have undoubted information) *That their Charter is as Good as ever*?

VVhether we have not Received an Atteſted Copy of a Bill paſt in the Houſe of *Commons*, which expreſly Declares, *That the Proceedings againſt our Charter were Illegal, and a Grievance*?

VVhether notwithſtanding the ſence of all *England* Aſſembled in a full and free Parliament to the contrary, we ſhould not rather lick up the Spittle of ſome of our Learned Jayl-birds, who ever now and then ſpawn a Pamphet to tell us, *That we have been fairly dealt with*?

Whether when 'tis conſidered that for the meer hope ſake of a laſting Peace and Settlement under the [illegible]ctions and priviledges of our *Charters*; we have with an incre[illegible] expence and labour ſub-

LE63.001
A646n / 1689

subdued a dismal *Wilderness* into a famous, & flourishing *Territory*, of no small advantage to the Crown of *England*; we may expect that it will be thought just and fair for us, to be deprived of those Priviledges and Injoyments by which we were hereunto decoy'd and ruined by the miseries of an Arbitrary Government?

Whether upon the little glimmering prospect which we now have of our being freed from the wretched circumstances under which we laboured by the loss of our *Charter-Priviledges*, we may not be allowed to wear a little joy in our faces, and return thanks to our God, the Soveraign Bestower of all the good we have in Possession or Expectation?

Whether if our late *President* should make it appear, either that he did not contribute to the loss of our *Charter*, or that he has a just and due regret for doing it, this might not reconcile him to the affections of the people, of which among so many that have desired to see him *humbled*, so few desire to see him *ruined*?

2. *Of the Commission by which we were lately Governed.*

Whether the late *Commission* by which the late Government was imposed upon us, did not deny us the *Common Rights*, which all *English men* justly count themselves born unto, and entirely subject all that was dear to us unto the *Arbitrary Disposal* of five or six men, that shewed their manifest hatred to whatsoever *N-England* loved?

Whether if indeed by our being here, we become *Slaves*, and are to be utterly excluded from all interest in making of *Laws*, and raising of *Taxes*, but what is in the *submitting* and *smarting* part of them, we had not better agree to break up the Plantation, and march home for *England* again?

Whether those People who now declare for the continuance of that *Commission*, do not therein (some ignorantly, some maliciously) abet a *Treason*, and the worst of *Treasons* against the *Liberties* of the *English Nation*, and make themselves parties to the worst Enemies of their Country?

MI - 1989

Whether they were persons inconsiderable for Note or Number which did call our late Government by the name of a *French-Government*, and counted it an Essay or Specimen of what was intended for the whole *English Nation*?

Whether any good man has done any other than buy Repentance at a dear rate by espousing the Interests, or gratifying the humours of the men that so lately Lorded over us!

Whether common Cursing and Swearing and Sabbath-breaking be not admirable qualities in a *Governour*, and such as may make any *New-Englanders* dote upon him, or endeavour his re-establishment, when we have all the assurance in the world that we shall be commended by the Authority of *England* for our deposing him.

Whether when a *Governour* has made his allowed Knot of *Counsellors* competently drunk at his *Bouts* with them after midnight, they be not in a fine pickle to manage the Government of this large Territory, which no doubt now perishes for the want of such *Super-sober Counsellors*?

Whether those people who now afflict themselves with a Bodily fear that a *mean* person may now and then get into the place of a *Magistrate* among us, have not forgotten, what sort of *Gentlemen* were among our late *Counsellors*? And whether they know the Original of our late *boysterous Deputy Governour*, who in very good time informed us, That *the Scabbard of a Red-coat should quickly signifie us much as the Commission of a Justice of the Peace*?

What were the *Qualifications* which were counted enough to make a man capable of a *Place* in the late Administration?

3. *Of the Opression which was used every day upon us in our Civil Concerns.*

Whether some of the principal Gentlemen concerned in the late Government have not once and again ingeniously Confest, *That the Government was become Intollerable*?

Whether those that *Rob* on the *Road*, or in the night under the

fear of Hanging are not honeſt Robbers in comparison of them that *Rob* in the capacity of *Lawyers*, by making the Law it ſelf but a Tool to manage the deſigns of Robbery?

Whether any man alive can tell what *Law* our late Maſters were pleaſed to *Govern* by.

Whether amongſt many other injuries which the *Fermentations* of the laſt *April* did unto ſeveral honeſt people, this be not one, that certain picket, ſettled and Standing Officers (but no Free-holders) called *Jury-men*, were thereby diſmiſt from their places, which we thought they muſt have held *Durante Vitâ*, by a Leaſe for their Lives?

Whether in one and the ſame Crime, ſometimes the *Old Law* of *New-England* was not that which did convict the fault, and the *new Law* of *Old-England*, that which did adjuſt the Fine?

Whether we did not with a very ſingular Edification, and Satisfaction hear our late courteous Rulers very gravely hold forth unto us, that, *It was not for His Majeſties Intereſt that we ſhould thrive?*

Whether the uſage of the *Ipſwich Men*, & the *Plymouth* Men were not ſo juſt and kind that they ought never to forget it? or whether a peaceable deſiring, that we might have liberty for an *Aſſembly* before we Rais'd *Taxes*; or whether Begging Mony to carry on a Tryal at *Law* for *Town-lands* injuriouſly invaded, were an inexplable *Treaſon*?

What was *Major Appleton* put, and kept in Priſon, and denyed an *Habeas Corpus* for?

And for what were *Major Saltonſtal* and *Mr. Bradſtreet*, and others Impriſoned and put to a ſtrange Coſt and Charge.

How many times have the *Exciſe-men* gone unto honeſt and courteous Houſes in the Country, pretending themſelves ill, and ſo procuring the Civilities that good people uſe to treat Strangers with, but thereupon dropt a three-pence, or ſixpence in a by-place of the Houſe, and then ſwora that they bought drink there; and how

how many times has this Trick been play'd upon persons that never sold a drop of drink in their lives? Who clapt these Knaves on the Back, and held them by the Chin in these Rogueries? Who went Snips with them?

Whether Mr. *Morton* the very Reverend, and no less peaceable Minister of *Charles-Town*, were not by Governour *Andros*'s furious Command (contrary to the declared Sense of two of the *Judges* upon the Bench) drag'd out of his own County, to be Try'd for Seditious Preaching, on purpose because he thought no place but *Boston* could afford a Jury wicked enough to ruine him, on the Testimony of one single Debaucht Person, contradicted by the whole Assembly that heard the Sermon?

What was the *true* Reason why no Town might meet to Transact any *Parish-business*, above once a Year?

VVhether it was not both verbally and really deny'd by the late Usurpers here, that any man in the Colony own'd so much as one Foot of *Land*? And so after all the vast Treasure and Labour which we had spent to provide for our selves a Livelihood in a Wilderness, had not we brought our *Hogs* (and all our other *Cattle* too) to a fair Market?

VVhether it were possible for all the mony and Movables in *New-England* to have paid the prizes that must have been exacted for the *Patents*, which we were now obliged to take for our *Own Lands*, even as they are stated in the Fees of the *Secretaries* Office?

VVhether a certain person divers ways endear'd to our late Gang of *Mony-catchers*, having of his own a Spot of Land, worth not above Two Hundred Pounds, was not at last forced to offer Fifty Pounds for a *Patent* for it, and yet after all could not get it so, because (forsooth) a Neighbour offered to give more for a *good Title* to it.

How many Hundred Acres of other mens *Lands* have been begged by *Counsellors*, out of their singular and *fatherly* Affection to the

the Country? and who must have maintained the scores of Widows and Orphans, that must have been brought to *beg* their *bread*, whilst others *beg'd* their *Lands*?

Whether when some certain Widows that had their Lands taken from them, pleaded with these publick Thieves, and urg'd on them, *That God would one day plead the cause of the Widow*, they were not scoffingly bid *to stay till that day come*?

4. *Of the Persecution which our Sacred Concerns were assaulted with.*

Whether *Jefferies* the late Lord *Chancellor* of *England*, or some body else, advised no body, *To Ruine these Churches as fast as he could, yet not to do it by force, but to Sap them by starving the Ministers every where from their Imployments, upon which their Churches will by consequence fall of themselves*; and whether fine steps were not taken in the practice of this Advice?

Whether in the ordinary Dispensations of Justice among us, if a person accused of any Crime, were a vicious profligate blasphemous Fellow, he were not likely to have all possible favour shown him, but if he were a serious, holy, Good Man, he might not expect the utmost rigour, that the extent of their sence of the Law could inflict on him?

Whether the pious Christians in *New-England* had not some cause at least why their Consciences might scruple the *mode* of Swearing *on the Book*, when the *Common Law* which is the onely Law pretended for it in this Case does in all old Presidents, interpret a Swearing ON to be a Swearing BY the Gospels, and we have long thought it sinful to swear *by* any *Creatures*?

Whether some of the Justices themselves in their giving of *Oaths* did not awaken our thoughts by making the poor people Swear *By the Holy Evangelists*, concluding the Oath with *so help you God, and his holy Evangelists*? And whether when a man was prosecuted for Perjury, the form of his Indictment did not run, *That he did perjuriously on the Holy Evangelists of the Almighty God Depose*,

Depose, &c? And whether yet even the Homiles of the Church of *England* do not teach us, That to say, *So help me God, and Saint John* is Idolatry?

Whether many of the best People in the Country were not Fined and Imprisoned meerly for scrupling to Swear *on the Book*, though they readily offered to Swear *with an Uplifted Hand*?

Whether the least affront offered unto them that were so scrupulous were not to put them by from Serving on a *Jury*, or as a *Witness*? And whether the bottom of this intreague were not chiefly to render the *Largest* the most *sober*, and *valuable* part of the Country uncapable of any *Interest* in the passage of *Justice* between man and man? And whether *some folks* would not have had then a brave time on't?

Whether those very *Judges*, who punisht holy and worthy men, for only scrupling a *mode* of Swearing, ever did or durst punish a *Quaker* for not Swearing at all?

Whether those very Oppressors who would not permit the *New-Englanders* to retain their old Rites in Swearing, did not allow *New-Yorkers* under the same Government to Swear with *Uplifted Hands* according to their ancient Mode?

Whether none of our late Superiours had cause to know that in the Island of *Guernsey*, and *Jersey*, which are under the Crown of *England*, it be not according to Common Law (because Ancient Custom) to Swear with *Lifting up the Hand*?

Whether although it seem a *small Truth* for which the good people have suffered this malicious and unreasonable Persecution, yet the smallness of the Cause do not rather augment and commend the *Fidelity* of the Sufferers?

Whether the late *wise Justices* did not affirm all the Ecclesiastical Penal-Laws against Nonconformists to be in force against us, when they so vigorously prosecuted that worthy Minister Mr. *Mather the Younger* for Publishing (before Sir *Edmond Andros* arrived here)

here) a modest and placid Discourse giving the Reasons of our Dissent from the Ceremonies of the Church of *England*? And of what value with them was the late King's *Declaration* for Liberty of Conscience? And whether, when they had the power of binding & loosing the Press, it had not been more satisfactory for them to have answered it by Scripture and reason or any way rather than by a ruinous *Remish* Prosecution?

Whether when 'twas argu'd, that it would be a very unfair thing to punish the *Noncon's* in this Countrey, for not using the Service of the Church of *England*, while the Countrey had scarce any but *Noncon's* in it: and so every man almost in the Land must pay at least 12*d* a day (besides other far greater penalties) which with Sundayes and Holydayes would amount to four pounds a man by the year, for not being present at the *Common Prayer* Worship, that Justice had not more of the *Wolf* than the *Fox* in him, who reply'd, *We are in a way to bring it to that extremity*?

Whether when the late Kings *Declaration* for liberty of Conscience, gave us hopes of deliverance from an approaching Persecution, the Ministers of *Boston* having agreed with their Congregations to keep a day of Thanksgiving to God for that Mercy, Governour *Andros* did not send for them the night before the day intended, and with many menaces, bid them keep the day at their peril, and tell them he would send Souldiers to guard their Churches and them too? and yet having thus put by the day, to the great scandal and offence of the whole Town, had he not the face to deny afterwards that ever he had forbidden it?

5. *Of the Indian War.*

Whether no *Indian Lands*, nor *Indian Rights* have been Patented away by our late *Patent mongers*?

Whether to advance this principle, that *the Indians, because Pagans, have no Title to any Lands at all in this Countrey*, be not the way to continue the friendship of the *Indians* to us? and whether after all the hard censures we have undergone, the World will not judge us the juster, and more righteous of the two, who own *they have though Pagan, a just Right to all their Lands but those, which they have by fair Contract or just Conquest parted with*?

Whether it were no bodies Expectation, that on pretence to pay off a

great Army for a long Service, *a vast Tax* must have been Levy'd, which would on purpose have been made intolerable to the people? that hereupon a distress, and distracted past in the Country would have *mutiny'd*? and an advantage would thence be taken by some sort of men to have taken away the Lives, and Estates of whom they pleas'd for being concern'd in the *Rebellion*, though they had been never so peaceable, and innocent? Would not this have been a notable way for *some folks* to thrive in the world?

Whether no Captives of late escap't from the Indians have affirmed, That the Indians say, *Some persons in Boston have incouraged them to go on with the War?*

6. Of the Revolution.

Whether it were not purely in Opposition to the enemies of the Prince of *Orange*, that we Seized upon Governour *Andros*, and his Accomplices? and not a design hatcht by Jesuits to carry on a Popish Interest among us, as a *Pamphlet* lately dispersed very gravely and politickly informs us?

Whether our late Rulers did not use all imaginable care to keep us ignorant of the Successes of the Prince of *Orange*, which themselves had sufficient information of?

How many *Healths* has that Riotous, and abject Crew drank to the Confusion of the Prince of *Orange* since eighty nine; and whether that sport is like to last always unremarkt or unpunisht?

Whether the news of the Princes coming into *England* did not fill *them* with as much visible Consternation as *us* with satisfaction, and whether the *Reason* of it be not manifest to all of us?

Whether the man that brought the *Princes Declaration* with him into the Country were not Imprisoned for bringing *treasonable* and *seditious* Papers with him?

Whether some *Riots* that have been committed since the Revolution were not secretly produced, or at least fomented by men of the *same Party* with them that most *suffered* by them?

Whether Governour *Andros* by stealing out of the Castle where he was a Prisoner, after he had abused the Captain with such assurances of his proving himself a *true Prisoner*, did not give an evidence of some peculiar Guilt or *Fear* upon him, as well as *Falseness* in him; and whether the Captain ought to trust him again, or in Civility so far to remember him as a Gentleman, as to forget that he is a slippery *Prisoner*.

Wha-

What would those Fellows be at, who are so lavish in their Discourse as to condemn us for *Pirates* only for *taking Pirates*? what party did *Pounds* serve that it must be so criminal to Apprehend him? and who were his Correspondents? and whether it be not very reasonable not only that those Men who ventured their Lives so nobly for their Countrey should be commended, but rewarded?

Whether it be not the special Priviledge of *Charlstown Church* and *Town* to be furnisht with *Deacons* and *Captains*, which publish *Remonstrances* against the present Government, and *Berogue* the deserving Gentlemen in whose hands it is? and whether those *Fellows* (to retort the phrase upon them they so saucely use to the Gentlemen in *Authority*) could propose any thing by their late Mutinies & Factions, than the putting the Countrey into a *Flame*?

Whether those Men who desire to see the late Power in play again, be not weary of their *own Lands*, or *Livings* (if they have any?) or do not want to be Owners of *Other Mens*?

Whether those Men who now shew themselves violent against our return in any sort to our *Charters*, are not therein declared Enemies to the glorious designs of the greatest Prince in the World?

Whether it would not be a fine spot of work, when we have given to Sr. *Edmond Andros* and his *Creatures* the affront of dismissing them from the Government, and we every hour look for a Confirmation and Approbation from *England* of what we have done, yet to restore them to their former places?

Whether a strict eye ought not to be kept on those *ridiculous Blades* at *Charlstown*, and those *Mischievous ones* in *Prison*, who are scattering about the Country their scandalous *Pamphlets*, to perswade a thing so pernicious?

Whether such empty trifling *Pamphlets* can *Proselyte* any but the silliest *Buzzards* in the World, and whither we have reason to fear we have *many* such among us?

AND since 'tis in a late *Pamphlet* boldly affirmed *that none of the Letters (in our hands) of those lately in Office or Government, manifest any design of ruining the Countrey, or procuring any violence to the Inhabitants*; we shall annex some few *Notes* (among many much worse) out of the *Letters* of but *One* of them, *viz.* Mr. *RANDOLPH*, and by this little, let all dis-interested persons judge, whether those who guided the People to this alteration had not some cause.

Randolph to the Earl of—— *June* 14. 1682.

I humbly beseech your Lordship that I may have consideration for all my Losses, that the heads of this Faction *here may be* strictly prosecuted, *and* Fined *for their* Treasons, *and* Misdemeanours, *and my Mony paid out of their Fines. I will engage with Five Hundred of His Majesties Guard to* drive *them out of their* Country. — *As for all the persons joyn'd, and concerned in the* Faction *here, I know but one man, who was not himself a Servant, or a Servants Son.*

R. to my Lord——December 3. 1684.

If that great body of People by mis-understanding be once broken *and* dispersed *into the Southern Plantations, the* French *will certainly by degrees swallow up that great Country planted, and possest by His Majesties Subjects now above these sixty Years, and so at length become Masters of all His Majesties* VVest-India *Plantations, which by the benefit and advantage of those many Harbours in that Country may be obtained.*

Ran-

R. to the B. of——June 14. 1682.

If His Majesties Laws (which none but Phanaticks question) be of force with us, we could raise a sufficient maintenance for divers Ministers out of the Estates *of those whose* Treasons *have forfeited them to His Majesty.*

R. to the B. of —— May 29. 1682.

In my Attendance on your Lordship, *I often prest that some able Ministers might be appointed to perform the Offices of the Church with us. The main obstacle was, how they should be maintained? I did formerly and do now propose that a part of that Money sent over hither and pretended to be expended among the* Indians, *may be ordered to go towards that Charge.—— As for—— he is one of the* Faction, *a man of mean Extraction coming over a poor Servant; as most of the* Faction *were at their first Planting here, but by extraordinary zeal and cousenage, have got them great Estates in* Land; *so that if His Majesty* Fine *them sufficiently (and well if they scape so) they can go to work to get more.*

R. to the A. B. of —— *Octob.* 27. 1686.

I have some time since humbly represented unto your Grace, a necessity of having a Church *built in* Boston, *to receive those of the* Church of England: *we have at present near four hundred persons, who are daily frequenters of our* Church, *and as many more*

would

MI - 1989

would come over to us. But ſome being Trades-men, others of Mechanick Profeſſions, are threatned by the Congregational Men *to be Arreſted by their Creditors, or to be turned out of their work, if they come to our Church. —— I have taken care to inform my ſelf how the Mony ſent over hither for the Company of* Evangelizing Indians *in* New-England *is diſpoſed of; Here are ſeven perſons called* Commiſſioners, *or Truſtees, who have the ſole manage of it, The chief of which are Mr.* Dudley *our Preſident a man of a baſe ſervile and Antimonarchical Principle; Mr.* Stoughton, *of the old Leven; Mr.* Richards, *a man not to be truſted in publick buſineſs; Mr.* Hinkly, *a Rigid Independant, and others like to theſe. —— I humbly preſume to Remind your Grace of your promiſe to me when in* England *; that a Commiſſion ſhould be directed to ſome perſons here unconcerned to Audit, and report their Accounts of that Mony —— We want good Schoolmaſters, none here being allowed of, but of* ill Principles *; The mony now converted unto private or worſe Uſes, will ſet up good and publick Schools, and provide a maintenance for our Miniſters who now lives upon a ſmall Contribution.*

R. to Mr. Blathwait. May 21. 1687.

His Excellency has to do with a perverſe people. *— Nothing has been wanting in his Excellency to bring all things to a good poſture, both private and publick; He diſcharges the duty of an Excellent Governour, but theſe people are* Riveted *in their way, and I fear nothing but* neceſſity *or* force *will otherwiſe diſpoſe them.*

R. to Povey, May 21. 1687.

His Excellency tries all ways to bring the people to Quit-Rents.

R. to

R. to Mr. Pen, November 9. 1688.

This barbarous people were never civilly treated by the late Government, who made it their buſineſs to encroach upon their Lands, and by degrees to drive them out of all, That was the Ground and Beginning of the laſt War. His Excellency has all along taken other Meaſures with them.—— I hear Mr. Mather *and ſuch like Men of Antimonarchical principles at home are complaining againſt me: I confeſs, if being the* Occaſion *of Subverting their Old Arbitrary Government be a* Crime, *I muſt* Submit.

Printed in the Year, 1689.